

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, December 16, 2010

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Commissioner Barbara J. McGowan, Vice-President Kathleen Therese Meany, Commissioner Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 9 - Michael A. Alvarez; Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, seconded by Patricia Horton, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Debra Shore, seconded by Patricia Horton, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 2:25 p.m. President O'Brien reconvened the regular board meeting to order

Finance Committee

Report

- 1 [10-1577](#) Report on investments purchased during November 2010

 Attachments: [Inv Purch 2010-11 att.pdf](#)

 Published and Filed
- 2 [10-1578](#) Report on the investment interest income during November 2010

 Attachments: [Inv Int Inc 2010-11 att.pdf](#)

 Published and Filed

Procurement Committee

Report

- 3 [10-1562](#) Report of bid opening of Tuesday, December 7, 2010

Published and Filed

- 4 [10-1579](#) Report on rejection of bids for Contract 10-619-11, Analytical Services for In-Service and Procured Lubricants at Various Locations, estimated cost \$134,800.00

Published and Filed

Authorization

- 5 [10-1572](#) Authorization to amend the Master Agreement with Illinois Institute of Technology to extend the agreement termination date from December 31, 2010, to March 31, 2012

Approved

- 6 [10-1573](#) Authorization to amend the Master Agreement with the Board of Trustees of the University of Illinois to extend the agreement termination date from December 31, 2010, to March 31, 2012

Approved

- 7 [10-1584](#) Authorization to increase cost estimate for Contract 06-363-3D Gloria Alitto Majewski Reservoir Repair and Rehabilitation, North Side Service Area, from \$6,500,000.00 to \$8,700,000.00, Account 401-50000-645720

Approved

- 8 [10-1587](#) Authorization to amend Board Order of November 18, 2010, regarding entering into an agreement with SEECO Consultants, Inc. for geotechnical analysis and sub-surface exploration for various construction projects, Agenda Item No. 12, File No. 10-1393

Approved

- 9 [10-1600](#) Authorization to amend Board Order of October 7, 2010, regarding issue of purchase order and enter into an agreement with Thermo Labsystems, Inc., for renewal licenses and software upgrades for the Laboratory Information Management System, in an amount not to exceed \$201,199.21, Account 101-16000-612820, Requisition 1312016, Agenda Item No. 19, File No. 10-1121

Approved

- 10 [10-1610](#) Authorization to amend the scope of work, and increase the cost estimate for Contract 05-018-2S, Sewer & Structure Rehabilitation, North Side Service Area, from \$1,290,000.00 to \$3,000,000.00, Account 201-50000-645700

Approved

Authority to Advertise

- 11 [10-1590](#) Authority to advertise Contract 11-639-11 Furnish and Deliver Process Water Chemicals and Consulting Services to Various Locations, estimated cost \$286,789.00, Accounts 101-67000, 68000, 69000-623560, Requisitions 1315260, 1315600 and 1315625

Approved

- 12 [10-1596](#) Authority to advertise Contract 11-012-11 Furnish and Deliver Paint, Brushes, Solvents and Stains to Various Locations for a One (1) Year Period, estimated cost \$41,000.00, Account 101-20000-623190

Approved

Issue Purchase Order

- 13 [10-1568](#) Issue purchase order and enter into an agreement with Environmental Resource Associates to Furnish and Deliver Proficiency Testing Standards, in an amount not to exceed \$22,000.00, Account 101-16000-623570, Requisition 1315927

Approved

- 14 [10-1576](#) Issue purchase order and enter into agreement for Contract 10-RFP-12, furnish and deliver a vendor-hosted E-Learning Management System with ePath Learning, Inc. for a five-year period January 1, 2011 through December 31, 2015, in an amount not to exceed \$107,219.00, Account 101-25000-612820, Requisition 1313698

Approved

- 15 [10-1580](#) Issue purchase orders to Discflo Corporation, to Furnish and Deliver Repair Parts for Grit Pumps at the North Side Reclamation Plant and Sludge Pumps at the Stickney Water Reclamation Plant for a three year period, in an amount not to exceed \$102,800.00, Accounts 101-67000, 69000-623270, Requisitions 1312449 and 1312975

Approved

- 16 [10-1581](#) Issue a purchase order to Flow-Technics, Inc., to Furnish and Deliver Allis Chalmers and ITT Goulds Pump Parts at the Calumet Water Reclamation Plant for a two year period, in an amount not to exceed \$140,000.00, Account 101-68000-623270, Requisitions 1312489, 1313298 and 1313707

Approved

- 17 [10-1582](#) Issue purchase order for Contract 10-102-11, Furnish and Deliver Rental Lab Coats and Coveralls to Various Locations, to Lechner and Sons, Inc., in an amount not to exceed \$21,090.80, Account 101-16000-612490, Requisition 1299656

Approved

- 18 [10-1585](#) Issue purchase order and enter into an agreement with Mr. James Dencek, at a monthly fee of \$10,000.00, for administrative services relating to Board of Commissioners' activities for a period of one year, from January 1, 2011 through December 31, 2011, in an amount not to exceed \$120,000.00, Account 101-11000-601170, Requisition 1316968

Deleted by Executive Director

- 19 [10-1606](#) Issue purchase order and enter into an agreement with Siemens Industry, Inc., to Furnish and Deliver Parts and Services for Maintenance Repairs to Test and Certify the Siemens Fire Alarm System at the Lockport Powerhouse, in the Amount of \$60,000.00, Account 101-66000-612680, Requisition 1312000

Approved

Award Contract

- 20 [10-1601](#) Authority to award Contract 11-021-11, Item 1, Furnish and Deliver Unleaded Gasoline to Various Locations for a One (1) Year Period to Petroleum Traders Corporation, in an amount not to exceed \$268,000.00, Accounts 101-20000, 66000-623820

Approved

- 21 [10-1602](#) Authority to award Contract 11-041-11, Furnish and Deliver Data Storage Cartridges to Various Locations, for a One (1) Year Period, to Midwest Computer Products, Inc. in an amount not to exceed \$107,050.00, Account 101-20000-623810

Approved

- 22 [10-1603](#) Authority to award Contract 10-053-11 Furnish and Deliver Lamps to Various Locations for a One (1) Year Period, to Gordon Electric Supply, Inc., in an amount not to exceed \$49,604.71, Account 101-20000-623070

Approved

- 23 [10-1604](#) Authority to award Contract 11-027-11, Furnish and Deliver Glass and Plastic Labware to Various Locations for a One (1) Year Period, Groups A and B to A. Daigger & Company, Inc., in an amount not to exceed \$76,394.88, and Group C to Crown Packaging International, Inc., in a total amount not to exceed \$129,534.84, Account 101-20000-623570

Approved

Increase Purchase Order/Change Order

- 24 [10-1563](#) Authority to increase purchase order and amend the agreement with Barnes & Thornburg, for legal services in the pending rulemaking before the Illinois Pollution Control Board entitled, In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill.App.Code Parts 301, 302, 303 and 304, R08-09 (Rulemaking-Water), in an amount of \$60,000.00, from an amount of \$980,000.00, to an amount not to exceed \$1,040,000.00, Account 101-30000-601170 Purchase Order 3049607

Attachments: [Change Order Log B.T 12.16.10.PDF](#)

Debra Shore voted Present

Mariyana T. Spyropoulos voted Present

Approved

- 25 [10-1564](#) Authority to decrease purchase order and amend the agreement with Dykema Gossett PLLP, for Legal Services in an action brought by Apex Oil Company relating to 3301 South Kedzie Avenue in Chicago, Illinois, Main Channel Atlas Parcel 42.02, in an amount of \$9,082.76, from an amount of \$500,000.00, to an amount not to exceed \$490,917.24, Account 901-30000-667220, Purchase Order 3054933

Attachments: [Dykema Change Order Log.pdf](#)

Approved

- 26 [10-1566](#) Authority to increase purchase order and amend agreement with Chapman & Cutler LLP and Tim McGree and Richard Wohlleber to represent the District in connection with the SEC Inquiry of 2009 Build America Bonds Issue in an amount of \$8,175.94 from an amount of \$9,975.00, to an amount not to exceed \$18,150.94, Account 401-50000-601170, Purchase Order 3063442

Approved

- 27 [10-1567](#) Authority to increase purchase order and amend agreement for Dykema Gossett, PLLC to represent the District in the lawsuit of Metropolitan Water Reclamation District of Greater Chicago v. Terra Foundation et al., Case No. 06-CH-13817 involving the District's interest in the alley adjacent to its Main Office Building (100 East Erie Street) in an amount of \$100,000.00, from an amount of \$1,860,000.00, to an amount not to exceed \$1,960,000.00, Account 101-30000-601170, Purchase Order 3054932

Attachments: [12-16-10_Dykema Gossett.pdf](#)

Debra Shore voted Present

Approved

- 28 [10-1570](#) Authority to increase Contract 10-771-11, Underground Infrastructure Cleaning and Manhole Repairs in the North Service Area to Sheridan Plumbing & Sewer, Inc., in an amount of \$24,985.15, from an amount of \$198,598.45, to an amount not to exceed \$223,583.60, Account 101-67000-612600, Purchase Order 5001217.
- Approved**
- 29 [10-1571](#) Authority to increase purchase order and amend the agreement with the Ohio State University Research Foundation for an Ecosystem Services Study of Degraded Soils Amended with Biosolids in an amount of \$13,750.00 from an amount of \$180,000.00 to an amount not to exceed \$193,750.00, Account 101-16000-601170, Purchase Order 3059601
- Approved**
- 30 [10-1575](#) Authority to increase Contract 73-161-FH Vulcan Conveyance System and Maintenance Facilities, McCook CUP Reservoir, to Graycor Industrial Contractors, Inc. in an amount of \$274,282.45, from an amount of \$30,294,623.22, to an amount not to exceed \$30,568,905.67, Account 401-50000-645620 Purchase Order 5000562
- Attachments:** [CO 73-161-FH](#)
- Approved**
- 31 [10-1583](#) Authority to increase purchase order to CDW Government, Inc., to Furnish and Deliver Microsoft Software and Software Maintenance in an amount of \$423,248.26, from an amount of \$423,360.15 to an amount not to exceed \$846,608.41 Account 101-27000-612820, 623800, Purchase Order 3060804
- Approved**
- 32 [10-1586](#) Authority to decrease Contract 10-612-11, Services of Street Sweepers at Various Service Areas to Gosia Cartage LTD., in an amount of \$30,000.00, from an amount of \$351,000.00, to an amount not to exceed \$321,000.00, Account 101-66000-612420, Purchase Order 5001127
- Approved**
- 33 [10-1588](#) Authority to increase Contract 06-218-3M (Re-Bid), Blower Nos. 9 & 10 and Air Main Installation at the Calumet Water Reclamation Plant with Meccon Industries, Inc., in an amount of \$35,859.00 from an amount of \$16,124,969.00 to an amount not to exceed \$16,160,828.00, Accounts 101-50000-612650, 401-50000-645650, and 645750, Purchase Order 5001024
- Attachments:** [CO 06-218-3M](#)
- Approved**

- 34 [10-1589](#) Authority to decrease Contract 01-817-2E Electrical Equipment Upgrades at Kirie, Egan, North Side and Hanover Park Water Reclamation Plants, to Windy City Electric Company, in an amount of \$30,640.67, from an amount of \$3,442,447.08, to an amount not to exceed \$3,411,806.41, Accounts 401-50000-645690 and 645750, Purchase Order 5000807

Attachments: [CO 01-817-2E](#)

Approved

- 35 [10-1592](#) Authority to Increase Contract 99-180-1M Ventilation and Other Improvements, Stickney Water Reclamation Plant to IHC Construction Companies, LLC in an amount of \$30,202.79, from an amount of \$5,170,321.26, to an amount not to exceed \$5,200,524.05, Accounts 401-50000-645650 and 645750, Purchase Order 5000301

Attachments: [CO 99-180-1M](#)

Approved

- 36 [10-1593](#) Authority to decrease Contract 08-613-11, Group B, Scavenger Services at Various Locations, to Land & Lakes Company, Inc., in an amount of \$45,000.00, from an amount of \$450,000.00, to an amount not to exceed \$405,000.00, Account 101-68000-612520, Purchase Order 5000841

Approved

- 37 [10-1594](#) Authority to decrease purchase order and amend the agreement with the law firm of Schuyler, Roche & Zwirner, P.C., for Legal Services in the matters of Maria Ernestina Diaz Perez, as Special Administrator of the Estate of Rodolfo Aguilera, deceased v. MWRDGC, Case No. 07 L 006452 and Amy Kachavos, Special Administrator of the Estate of William Kachavos, deceased v. MWRDGC, Case No. 07 L 007513, in an amount of \$59,900.00, from an amount of \$59,900.00, to an amount not to exceed \$0.00, Account 101-30000-601170, Purchase Order 3047612

Attachments: [_Schuyler Roche C.O. Log-12.16.10.pdf](#)

Approved

- 38 [10-1595](#) Authority to increase Contract 09-717-11 Rental of Portable Emergency Generators to the North Service Area, to Gen Power, Inc., in an amount of \$20,409.00, from an amount of \$46,000.00 to an amount not to exceed \$66,409.00, Account 101-67000-612330, Purchase Order 3059595

Attachments: [09-717-11.pdf](#)

Approved

- 39 [10-1598](#) Authority to decrease Contract 10-616-11, Switchgear Maintenance and Repair at Various Service Areas, Group D, to Magnetech Industrial Services, Inc., in an amount of \$23,969.00, from an amount not to exceed \$60,000.00, to an amount not to exceed \$36,031.00, Account 101-67000-612600, Purchase Order 5001211
- Approved**
- 40 [10-1599](#) Authority to increase the McCook Reservoir Excavation Agreement, to Vulcan Construction Materials, L.P., in an amount not to exceed \$900,000.00, from an amount not to exceed \$57,443,956.23, to an amount not to exceed \$58,343,956.23, Account 401-50000-645620, Purchase Order 5000176
- Attachments:** [CO 73-161-EH](#)
 [Mining Costs](#)
- Approved**
- 41 [10-1607](#) Authority to decrease Contract 96-251-2P Sludge Thickening Facilities at CWRP, Calumet Water Reclamation Plant to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$11,150.70, from an amount of \$8,328,000.00, to an amount not to exceed \$8,316,849.30, Accounts 401-50000-645650 and 645750, Purchase Order 5001108
- Approved**
- 42 [10-1612](#) Authority to decrease Contract 05-147-2M HVAC Improvements at the Stickney Water Reclamation Plant, to Path Construction Company, in an amount of \$32,734.41, from an amount of \$3,527,669.28, to an amount not to exceed \$3,494,934.87, Account 201-50000-645750, Purchase Order 5001064
- Attachments:** [CO 05-147-2M](#)
- Approved**
- 43 [10-1616](#) Authority to increase purchase order and amend agreement with EIMCO Water Technologies LLC, to Furnish and Deliver Replacement Parts and Services to Rebuild Six (6) Clarifier Drives at the Egan Water Reclamation Plant, in an amount of \$100,000.00, from an amount of \$416,676.01 to an amount not to exceed \$516,676.01, Account 101-67000-612650, Purchase Order 3052696
- Attachments:** [December 16-Board Lr Att Eimco.pdf](#)
- Deleted by Executive Director**

- 44 [10-1619](#) Authority to decrease purchase order and amend the agreement with Emerson Process Management Power & Water Solutions, Inc., for system engineer services for the distributed control system at the Egan, Kirie and Hanover Park Water Reclamation Plants, in an amount of \$31,928.10, from an amount of \$693,364.63, to an amount not to exceed \$661,436.53, Account 101-67000-612650, Purchase Order 3054698

Attachments: [Emerson Process Mgmt. Pwr. 3054698.pdf](#)

Approved

Budget & Employment Committee

Authorization

- 45 [10-1557](#) Authority to transfer 2010 departmental appropriations in the amount of \$1,922,800.00 in the Corporate Fund (*As Revised*)

Attachments: [departmental appropriations](#)

Approved

Engineering Committee

Report

- 46 [10-1614](#) Report on change orders authorized and approved by the Director of Engineering during the month of November 2010

Attachments: [CO November](#)
 [CO Status](#)

Published and Filed

Authorization

- 47 [10-1620](#) Recommendation to grant a variance with respect to stormwater detention requirements for the Illinois Department of Transportation Maintenance Yard, Elk Grove Village, MWRD Sewerage System Permit Application No. 10-119

Deferred by Debra Shore

- 48 [10-1621](#) Clarification of policy regarding MWRD Sewerage System Permits for areas currently served by septic systems

Deferred by Debra Shore

Judiciary Committee

Report

- 49 [10-1560](#) The Acting General Counsel Reports on the Settlement of Workers' Compensation Claim

Attachments: [Workers' Comp Settlement, Mackey Att..pdf](#)

Published and Filed

Authorization

- 50 [10-1540](#) Authority to Enter into a Settlement Agreement in the Matter of Abec & Crowe v. Metropolitan Water Reclamation District of Greater Chicago, Case No. 03 CH 21800 Consolidated with 04 CH 752 and 03 M1 718897

Attachments: [Abec att. Dec. 16, 2010.PDF](#)

Deleted by the Executive Director

- 51 [10-1556](#) Authority to settle MWRD v. Automatic Anodizing Corporation, EA 74688 et al. consolidated with In Re: Automatic Anodizing Corporation, DA 12238-4.1 (Appeal of Denial of Request for Renewal of Discharge Authorization)

Approved

- 52 [10-1558](#) Authority to settle the Workers' Compensation Claim of Ken Kocian vs. MWRDGC, File No. 200003335, Illinois Workers' Compensation Commission, in the sum of \$23,372.87. Account 901-30000-601090

Approved

- 53 [10-1559](#) Authority to settle the Workers' Compensation Claim of Glenn Pacyga vs. MWRDGC, Claim No. 200004759, Illinois Workers' Compensation Commission, in the sum of \$25, 010.09. Account 901-30000-601090

Approved

Maintenance & Operations Committee**Reports**

- 54 [10-1536](#) Report on 2010 Rain Barrel Program Summary and 2011 Changes

Published and Filed

Authorization

- 55 [10-1538](#) Request to Enter into an Intergovernmental Agreement with the United States Army Corps of Engineers for Bulk Head Removal Funding

 Approved

Real Estate Development Committee

Authorization

- 56 [10-1574](#) Authority to advertise for public tender of bids the sale of an approximate 11,544± square foot strip of District land located between McCormick Boulevard and Simpson Street in Evanston, Illinois, and authorizing the sale of said strip of land (divided into four (4) small lots) consistent with the abutting residential lots. The minimum established bid price of each sub-divided parcel shall be established as follows: Parcel A - \$32,463.98, Parcel B - \$14,879.83, Parcel C - \$20,252.10 and Parcel D - \$72,398.20

Attachments: [12-16-10 Evanston Exhibit.pdf](#)

Deferred by Debra Shore

- 57 [10-1609](#) Authority to issue a 6-month permit extension to IMTT-Illinois for the use of approximately 37 acres of improved District land lying at the confluence of the Cal-Sag and Main Channels in Lemont, Illinois, and c/k/a Main Channel Parcels 26.02 and 26.03. Consideration shall be a 6-month permit extension fee of \$135,750.00

Attachments: [IMTT Map 12.16.10.PDF](#)

Approved

- 58 [10-1617](#) Authorization to commence statutory procedures to lease approximately 1.36 acres of real estate located at 536 Sheridan Road in Wilmette, Illinois; North Shore Channel Parcel 1.01 and request for waiver of North Shore Leasing Criteria

Attachments: [Bahai Map 12.16.10.PDF](#)

Approved

Approval of the Consent Agenda with the exception of Items: 18, 43, 47, 48, 50, 56, 59-80

Debra Shore voted Present on Items #24 and #27

Mariyana T. Spyropoulous voted Present on Item #24

A motion was made by Patricia Horton, seconded by Kathleen Therese Meany, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

State Legislation & Rules Committee

Authorization

59 [10-1597](#) Recommendations for the State of Illinois 2011 Legislative Program

A motion was made by Cynthia M. Santos, seconded by Patricia Horton, that this Agenda Item be Approved. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Stormwater Management Committee

Report

60 [10-1565](#) Request for direction concerning additional funding for Deer Creek Reservoir
(*Deferred from the December 2, 2010 Board Meeting*)

Attachments: [Deer Creek](#)

A motion was made by Cynthia M. Santos, seconded by Debra Shore, that this Report be Deferred. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Miscellaneous and New Business

Motion

61 [10-1561](#) MOTION to appoint Mary Ann Boyle as Acting Treasurer of the Metropolitan Water Reclamation District of Greater Chicago

A motion was made by Kathleen Therese Meany, seconded by Cynthia M. Santos, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 62 [10-1622](#) MOTION to appoint Commissioner Cynthia M. Santos to the Deferred Compensation Committee of the Metropolitan Water Reclamation District of Greater Chicago

A motion was made by Kathleen Therese Meany, seconded by Michael A. Alvarez, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Memorial Resolution

- 63 [10-1537](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Randall Sherman

A motion was made by Frank Avila, seconded by Kathleen Therese Meany, that this Memorial Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

Additional Agenda Items

- 64 [10-1625](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Dr. Margaret T. Burroughs

A motion was made by Patricia Horton, seconded by Kathleen Therese Meany, that this Memorial Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

- 65 [10-1626](#) MOTION to include pod casting in the 2011 budget

A motion was made by Mariyana T. Spyropoulos, seconded by Patricia Horton, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 66 [10-1627](#) MOTION to appoint Mary Ann Boyle to the Other Post Employment Benefits (OPEB) Trust Executive Committee of the Metropolitan Water Reclamation District of Greater Chicago

A motion was made by Cynthia M. Santos, seconded by Debra Shore, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 67 [10-1628](#) MOTION to appoint Cynthia M. Santos to the Other Post Employment Benefits (OPEB) Trust Executive Committee of the Metropolitan Water Reclamation District of Greater Chicago
- A motion was made by Kathleen Therese Meany, seconded by Michael A. Alvarez, that this Motion be Adopted. The motion carried by the following roll call vote:**
- Aye:** 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- 68 [10-1629](#) Authority to Amend the Adopted 2011 Budget
- Attachments:** [BF21 Consolidated Attachments.pdf](#)
- A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, that this Agenda Item be Approved. The motion carried by the following roll call vote:**
- Aye:** 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- Present:** 1 - Michael A. Alvarez
- 69 [10-1630](#) MOTION No. 1 to amend the 2011 budget of the Metropolitan Water Reclamation District of Greater Chicago as adopted December 9, 2010, consistent with motions adopted this date
- A motion was made by Cynthia M. Santos, seconded by Patricia Horton, that this Motion be Adopted. The motion carried by the following roll call vote:**
- Aye:** 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- Present:** 1 - Michael A. Alvarez
- 70 [10-1631](#) MOTION No. 2 to adopt the annual appropriation ordinance
- A motion was made by Cynthia M. Santos, seconded by Patricia Horton, that this Motion be Adopted. The motion carried by the following roll call vote:**
- Aye:** 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- Present:** 1 - Michael A. Alvarez
- 71 [10-1632](#) MOTION No. 3 to adopt an ordinance for the levy of taxes for 2011 to provide revenues for the Retirement Fund and Corporate Fund
- A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, that this Motion be Adopted. The motion carried by the following roll call vote:**

Aye: 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Present: 1 - Michael A. Alvarez

- 72 [10-1633](#) MOTION No. 4 to adopt an ordinance for the levy of taxes for 2011 to provide revenues for the Construction Fund

A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Present: 1 - Michael A. Alvarez

- 73 [10-1634](#) MOTION No. 5 to adopt an ordinance for the levy of taxes for 2011 to pay the interest on outstanding bonds and to discharge the principal thereof

A motion was made by Kathleen Therese Meany, seconded by Patricia Horton, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Present: 1 - Michael A. Alvarez

- 74 [10-1635](#) MOTION No. 6 to adopt an ordinance for the levy of taxes for 2011 to provide revenues for the Reserve Claim Fund

A motion was made by Cynthia M. Santos, seconded by Debra Shore, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Present: 1 - Michael A. Alvarez

- 75 [10-1636](#) MOTION No. 7 to adopt an ordinance for the levy of taxes for 2011 to provide revenues for the Stormwater Management Fund

A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Present: 1 - Michael A. Alvarez

- 76 [10-1637](#) MOTION No. 8 to reconsider the vote on the 2011 budget as amended
- A motion was made by Cynthia M. Santos, seconded by Patricia Horton, that this Motion be Adopted. The motion failed. The motion carried by the following roll call vote:**
- Nay:** 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- Present:** 1 - Michael A. Alvarez
- 77 [10-1639](#) RESOLUTION sponsored by the Board of Commissioners recognizing Frederick M. Feldman's forty -one years of service to the District and congratulating him on his well-earned retirement
- A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**
- 78 [10-1642](#) RESOLUTION sponsored by the Board of Commissioners recognizing Harold "Hal" G. Downs' forty years of service to the District and congratulating Hal on his well-earned retirement
- A motion was made by Kathleen Therese Meany, seconded by Barbara J. McGowan, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**
- 79 [10-1643](#) Authority to increase purchase order and amend the agreement with Hinshaw & Culbertson LLP, for legal services in the matter of Gaweda, et al. v. MWRDGC, Case No. 10 CH 52264, in an amount of \$30,250.00, from an amount of \$9,750.00, to an amount not to exceed \$40,000.00, Account 101-30000-601170, Purchase Order 3066324
- Attachments:** [Hinshaw Engagement Letter 12.16.10 Bd. Mtg..pdf](#)
- Deleted by the Executive Director**
- 80 [10-1644](#) MOTION to authorize issuance of sewerage system permits under the Sewer Permit Ordinance and Manual of Procedures for the Administration of the Sewer Permit Ordinance to property owners seeking to remove a facility from a failing septic system and providing a connection to a public sewer without requiring stormwater detention, subject to the recording of a Schedule L against the property, which is filed with the Cook County Recorder of Deeds, that will require stormwater detention when the property is subdivided or redeveloped at a future date
- Deferred by Debra Shore**

Meeting Summary

Speakers

Frederick M. Feldman, accepted a resolution recognizing his 41 years of service to the District and congratulating him on his retirement (Re: Miscellaneous & New Business Item #77)

Harold "Hal" G. Downs, accepted a resolution recognizing his 40 years of service to the District and congratulating him on his retirement (Re: Miscellaneous & New Business Item #78)

Michael Poulos, Attorney, addressed the Board regarding the sale of District Real Estate (Re: Real Estate Item #56)

Charles Derringer, Thorncreek Watershed, voiced concerns (Re: Stormwater Management Item #60)

George Blakemore, concerned citizen, voiced concerns and addressed the Board (Re: Real Estate Item #56 and Miscellaneous and New Business Item #64)

Summary of Requests

None

Study Session

None

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for January 6, 2011, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: December 27, 2010

Date Board letters are due to the Executive Director: 1:00 p.m., December 29, 2010

Adjournment

A motion was made by Patricia Horton, seconded by Kathleen Therese Meany, that when the Board adjourns it adjourns to meet on Thursday, January 6, 2011, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this December 16, 2010, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

December 16, 2010